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LETTER DATED 28 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to enclose herewith the text of the Protocol on the Guarantees of Implementation of the General Agreement on Establishment of Peace and National Accord in Tajikistan, signed by the delegations of the Republic of Tajikistan and of the United Tajik Opposition in Tehran, on 28 May 1997.

It would be appreciated if this letter and its annex were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

97-14128 (E) 290597

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Annex

Protocol on the guarantees of implementation of the General Agreement on Establishment of Peace and National Accord in Tajikistan, signed at Tehran on 28 May 1997

Pursuant to the Protocol on the Main Principles of Establishment of Peace and National Accord in Tajikistan of 17 August 1995 and in order to ensure full and strict implementation of the General Agreement on Establishment of Peace and National Accord in Tajikistan (hereinafter referred to as the General Agreement), which includes as its integral parts:

- Protocol on the Main Principles of Establishment of Peace and National Accord in Tajikistan of 17 August 1995;

- Protocol on Political Issues of 18 May 1997;

- Agreement between the President of the Republic of Tajikistan, Emomali Sharipovich Rakhmonov, and the Leader of the United Tajik Opposition, Said Abdullo Nuri, based on the results of their meeting in Moscow on 23 December 1996;

- Protocol on the Main Functions and Powers of the Commission on National Reconciliation of 23 December 1996;

- Charter of the Commission on National Reconciliation of 21 February 1997;

- Additional Protocol to the Protocol on the Main Functions and Powers of the Commission on National Reconciliation of 21 February 1997;

- Protocol on Military Issues of 8 March 1997;

- Protocol on Refugee-related issues of 13 January 1997,

the delegations of the Government of the Republic of Tajikistan and of the United Tajik Opposition (UTO), in consultations with the Special Representative of the Secretary-General of the United Nations for Tajikistan and representatives of the Organization for Security and Cooperation in Europe (OSCE), the Organization of the Islamic Conference (OIC), the Islamic State of Afghanistan, the Islamic Republic of Iran, the Republic of Kazakstan, the Kyrgyz Republic, the Islamic Republic of Pakistan, the Russian Federation, Turkmenistan and the Republic of Uzbekistan agreed as follows:

1. The good will of the Government of the Republic of Tajikistan and the Leadership of the United Tajik Opposition (hereinafter referred to as the Parties) and their commitment to achieving peace and national accord in the country shall be considered as the most important guarantees of strict implementation of the General Agreement. In this context, the material guarantees shall be deemed to be the agreements laid down in the above-mentioned Protocols and Agreements, in particular, to establish the Commission on National

Reconciliation with equal representation of the Parties and headed by a representative of UTO; to reserve for representatives of the Opposition (UTO) thirty (30) per cent of posts in the executive power structures and twenty-five (25) per cent of seats in the Central Electoral Commission; to carry out the reintegration, disarmament and disbanding of the UTO armed units, as well as the reform of the power structures of the Republic of Tajikistan; to ensure the voluntary return, in safety and dignity, of all refugees and displaced persons to their homes; to provide amnesty for persons who took part in the civil conflict and political confrontation, as well as to lift the bans and limitations on the activities of political parties and movements that are part of UTO and on the mass media which shall function within the framework of the Constitution and effective laws of the Republic of Tajikistan, and in accordance with the norms and guarantees established in the General Agreement.

2. The Parties agreed to request the United Nations to provide guarantees of implementation of the General Agreement through possible adoption by the Security Council of the United Nations of a new mandate of the United Nations Mission of Observers in Tajikistan (UNMOT) which would take into account the successful completion of the inter-Tajik talks and might provide for monitoring of the implementation of the General Agreement by the Parties, provision of expertise, consultations and good offices at all stages of its implementation and, possibly, other functions.

3. At the request of the Parties, the Governments of the Islamic State of Afghanistan, the Islamic Republic of Iran, the Republic of Kazakstan, the Kyrgyz Republic, the Islamic Republic of Pakistan, the Russian Federation, Turkmenistan and the Republic of Uzbekistan agreed to act as political and moral guarantors of comprehensive and strict implementation of the General Agreement by the Parties. In this connection, it may be desirable to have periodic meetings of the Ministers for Foreign Affairs of the guarantor States in Dushanbe.

4. In order to monitor the implementation of the General Agreement by the Parties and to provide them with expertise, consultations and other good offices, the guarantor States agreed to establish, for the period of the implementation of the General Agreement, a Contact Group which shall be stationed in Dushanbe and shall consist of the ambassadors of the guarantor States accredited there or of specially appointed representatives. The Contact Group shall also include the Special Representative of the Secretary-General of the United Nations for Tajikistan, the head of the OSCE mission in Tajikistan and a representative of the Organization of the Islamic Conference (OIC). With the consent of the guarantor States, OSCE and OIC, the Special Representative of the Secretary-General of the United Nations for Tajikistan shall perform the functions of the Contact Group coordinator. Besides the above-mentioned monitoring and good offices, the Contact Group shall inform the Governments of the guarantor States, the Secretary-General of the United Nations through his Special Representative for Tajikistan and the decision-making bodies of the OSCE and OIC about any violations of the General Agreement by the Parties and shall forward recommendations on the ways of ensuring compliance. The Contact Group shall begin its work in Dushanbe concurrently with the commencement of the functioning of the Commission on National Reconciliation. Rules of procedure of the Contact Group shall be established by its members within one week following the beginning of its work.

5. OSCE, through its mission in Dushanbe, shall facilitate the implementation of the General Agreement in the areas related to the observance of human rights and the establishment of democratic political and legal institutions and processes in the Republic of Tajikistan.

The present Protocol has been executed in the Russian and English languages, both language versions being equally valid.

(Signed) T. NAZAROV
Head of the delegation
of the Republic of Tajikistan

(Signed) A. TURAJONZODAH
Head of the delegation
of the United Tajik Opposition

(Signed) Gerd MERREM
Special Representative of the
Secretary-General of the United Nations

Representative of the Organization for Security and Cooperation in Europe
[Signature illegible]

Representative of the Organization of the Islamic Conference
[Signature illegible]

For the Government of the Islamic State of Afghanistan [Signature illegible]

For the Government of the Islamic Republic of Iran [Signature illegible]

For the Government of the Republic of Kazakstan [Signature illegible]

For the Government of the Kyrgyz Republic [Signature illegible]

For the Government of the Islamic Republic of Pakistan [Signature illegible]

For the Government of the Russian Federation [Signature illegible]

For the Government of Turkmenistan [Signature illegible]

For the Government of the Republic of Uzbekistan [Signature illegible]